IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

TUESDAY, THE 30TH JANUARY 2007 / 10TH MAGHA 1928

WP(C).No. 19420 of 2006(J)

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PETITIONER:

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FAROOK INSTITUTE OF MANAGEMENT STUDIES,
FAROOK COLLEGE P.O., CALICUT DT.
REPRESENTED BY ITS DIRECTOR,
PROFESSOR K.RAVIKUMAR.

BY ADV. SRI.C.P.MOHAMMED NIAS

RESPONDENTS:

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1. THE STATE OF KERALA, REPRESENTED BY
ITS SECRETARY, HIGHER EDUCATION DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. UNIVERSITY OF CALICUT,
CALICUT UNIVERSITY P.O., MALAPPURAM DIST.,
REPRESENTED BY ITS REGISTRAR.

3. THE VICE CHANCELLOR,
UNIVERSITY OF CALICUT, CALICUT UNIVERSITY P.O.,
MALAPPURAM DISTRICT.

R1 BY G.P. SMT. SMITHA
R2 & R3 BY ADV. SRI. P.C. SASIDHARAN, SC, CALICUT UTY

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALY HEARD
ON 30/01/2007, ALONG WITH WPC 31800 OF 2006,
THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX (WPC 19420/2006)

PETITIONER'S EXHIBITS:

EXT.P1 TRUE COPY OF THE ORDER OF THE SECOND RESPONDENT DATED 16.7.2005

EXT.P2 TRUE COPY OF THE ORDER G.O. (MS) NO. 153/2004/H.EDN. DATED 24.11.2004 ISSUED BY THE FIRST RESPONDENT.

EXT.P3 TRUE COPY OF THE ORDER G.O.(MS) No. 166/2004/H.EDN. DATED 9.12.2004

EXT.P4 TRUE COPY OF THE ORDER OF THE UNIVERSITY DATED 30.12.2004

EXT.P5 TRUE COPY OF THE ORDER OF THE SECOND RESPONDENT NO. GA 1/E3/328/2005 DATED 28.6.2005

EXT.P6 TRUE COPY OF THE ORDER OF THE SECOND RESPONDENT NO. GA1 E3/633/2005 DATED 20.6.2006

EXT.P7 TRUE COPY OF THE LETTER SENT BY THE SECOND RESPONDENT ON 26.6.2006 NO. CC/EE/1-MBA/2006-2007

EXT.P8 TRUE COPY OF THE ORDER OF THE SECOND RESPONDENT NO. GA1/E3/633/2005 DATED 15.7.2006

EXT.P9 LIST OF STUDENTS WHO APPLIED TO THE PETITIONER-INSTITUTION NUMBERING 128

EXT.P10 TRUE COPY OF THE PRESS RELEASE AND A NEWSITEM APPEARED IN MADHYAMAM DAILY ON 8.8.2006

EXT.P11 TRUE COPY OF THE LETTER SENT BY THE PETITIONER-INSTITUTION TO ANITHA RAJAN ON 6.1.2006

EXT.P12 TRUE COPY OF RECEIPT ISUED TO ANITHA RAJAN ON 20.1.2006 ACKNOWLEDGING RECEIPT OF TUITION FEE.

EXT.P13 TRUE COPY OF CALL LETTER ISSUED TO ANITHA RAJAN ON 7.8.2006 AND RECEIVED BY HER MUCH LATER.

EXT.P14 TRUE COPY OF CALL LETTER ISSUED TO MAHESH N.C.

EXT.P15 TRUE COPY OF CALL LETTER ISSUED TO AJITH, V.

EXT.P16 TRUE COPY OF LETTER DATED 16.5.2006

EXT.P17 TRUE COPY OF RECEIPT ISSUED BY THE UNIVERSITY TO THE PETITIONER-INSTITUTION.

EXT.P18 TRUE COPY OF THE REPLY SUBMITTED BY THE PETITIONER-INSTITUTION.

EXT.P19 TRUE COPY OF BROCHURE PUBLISHED BY THE PETITIONER-INSTITUTION FOR THE YEARS 2006-2008

FIRST RESPONDENT'S EXHIBITS:

EXT.R1(a) TRUE COPY OF THE PRESS RELEASE NO. GA1/D3/4604/05 DATED 9.1.2006

2ND RESPONDENT'S EXHIBITS:

EXT.R2(a) TRUE COPY OF THE LIST DATED 25.8.2005 FORWARDED BY THE PETITIONER COLLEGE TO THE UNIVERSITY

EXT.R2(b) TRUE COPY OF THE NOTIFICATION DATED NIL PUBLISHED BY THE COLLEGE.

EXT.R2(c) RUE COPY OF THE LETTER FROM THE DEAN, FACULTY OF COMMERCE AND MANAGEMENT STUDIES TO THE REGISTRAR DATED 16.12.2005

EXT.R2(d) TRUE COPY OF THE LETTER DATED 9.1.2006

EXT.R2(e) TRUE COPY OF THE PROCEEDINGS DATED 16.6.2006 OF THE MEETING OF ALL THE PRINCIPALS OF THE AFFILIATED SELF-FINANCING COLLEGES.

EXT.R2(f) TRUE COPY OF THE UNDERTAKING DATED 16.7.2005 SUBMITTED BY THE PETITIONER-INSTITUTION FOR THE YEAR 2005-06

EXT.R2(g) TRUE COPY OF THE PRESS RELEASE ISSUED BY THE UNIVERSITY DATED 24.8.2006

TRUE COPY

P.S. TO JUDGE.

C.N.RAMACHANDRAN NAIR,J.

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W.P.C.NO. 19420 & 31800 OF 2006

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Dated this the 30th day of January, 2007

JUDGMENT

In view of filing of WPC No. 23282 of 2006, these two Writ Petitions filed by the same petitioner are closed leaving freedom to the petitioner to raise all contentions in the other W.P.C.

(C.N.RAMACHANDRAN NAIR)
Judge